

Whereas, The said M. G. Selman and Jim H. Gordon, severally, and each for himself, alleges that the State Highway Commission has caused this highway to be blocked and has diverted traffic which would otherwise pass by his place of business on to other roads to the East and to the West thereof; and

Whereas, It is alleged by the said M. G. Selman and Jim H. Gordon, severally, and each for himself, that such blockade and diversion has been in existence for several weeks, already, and that such blockade and diversion are reasonably expected to continue during further preliminary work and repairs and changes of said highway, to the substantial damage of each of them; now, therefore be it

Resolved by the House of Representatives of the State of Texas, the Senate concurring, That the said M. G. Selman and Jim H. Gordon, each, severally, be and he is hereby given permission to sue the State of Texas in any court of competent jurisdiction in McLennan County, Texas, to determine whether or not the State of Texas is liable for any damages for the acts hereinabove alleged, with respect both to the period of time prior to and subsequent to this resolution; and be it further

Resolved, That service of citation and any other legal process shall be served upon both the Chairman of the State Highway Commission and upon the Attorney General of the State of Texas. Service of process upon these two officers shall have the same force and effect as the service of process upon a defendant in any other civil case, according to the Rules of Civil Procedure as promulgated and adopted by the Supreme Court of Texas; and be it further

Resolved, That the party to the suit shall have the right to appeal as is provided for in other civil cases; and, be it further

Resolved, That the sole purpose of this resolution is to grant permission to the said M. G. Selman and Jim H. Gordon, to bring suit against the State of Texas. No admission of liability or of any fact is made in any way by the passage of this resolution; but on the contrary, it is specifically provided that the facts upon which the said M. G. Selman and Jim H. Gordon seek to recover must be proved in court as in other civil cases; and be it further

Resolved, That any and all defenses which the State of Texas may have shall be pleaded by the State, and none of the defenses which the State of Texas may have are in any way waived by the passage of this resolution.

To the Committee on Jurisprudence.

Senate Joint Resolution 4 with House Amendments

Senator Ashley called S. J. R. No. 4 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Ashley moved that the Senate do not concur in the House amendments, but that a conference committee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed.

Special Notice

Senator Willis gave notice that he would move to suspend the necessary rules to take up S. B. No. 50 on Monday, April 8, 1957.

Adjournment

On motion of Senator Hardeman the Senate at 12:06 o'clock p.m. adjourned until 10:30 o'clock a.m. on Monday, April 8, 1957.

Record of Vote

Senator Phillips asked to be recorded as voting "nay" on the motion to adjourn.

FIFTIETH DAY

(Monday, April 8, 1957)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Fuller
Ashley	Gonzalez
Bracewell	Hardeman
Bradshaw	Hazlewood
Colson	Herring
Fly	Hudson

Krueger	Reagan
Lane	Roberts
Lock	Rogers
Martin	Secrest
Moffett	Smith
Moore	Weinert
Parkhouse	Willis
Phillips	Wood
Ratliff	

Absent—Excused

Kazen	Owen
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A quorum was announced present.

Mr. Charles Schnabel, Secretary of the Senate, offered the invocation.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of Thursday, April 4, 1957, was dispensed with and the Journal was approved.

Leaves of Absence

Senator Owen was granted leave of absence for today on account of important business on motion of Senator Hudson.

Senator Kazen was granted leave of absence for today on account of illness in the family on motion of Senator Phillips.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
April 8, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 26, Authorizing the Department of Public Safety to acquire an easement to build a Communications station.

H. C. R. No. 38, Authorizing the Board of Directors of the Agricultural and Mechanical College of Texas to transfer certain appropriated funds of Arlington State College from General Operating Expenses item to General Administrative Salaries item.

H. C. R. No. 46, Providing for the Continuation of the Texas Surplus Property Agency in Fiscal Years 1957-58 and 1958-59.

H. C. R. No. 49, Respectfully requesting Congress of the United

States to propose an amendment to the Constitution of the United States.

S. B. No. 405, A bill to be entitled "An Act creating Brazoria County Road District No. 34 of Brazoria County, under authority of Section 52, Article III, Constitution of Texas, for the purpose of the construction, maintenance, and operation of macadamized, graveled or paved roads and turnpikes, or in aid thereof; making it a body corporate and taxing district; describing its boundaries and including provisions relating thereto; granting it the authority to issue bonds, revenue bonds and tax revenue bonds, and containing provisions relating to said bonds and the issuance thereof; containing provisions relating to the operation and maintenance of the improvements and facilities of said district; providing that the fact that said district may overlap other road districts shall not affect said district or the powers granted by this Act; providing for the assumption of bonds of road districts included within said district; authorizing the levy and collection of maintenance taxes; containing other provisions relating to the subject; and declaring an emergency."

S. B. No. 251, A bill to be entitled "An Act prohibiting certain acts of pollution of the waters of Lake Lavon, in Collin County, in such manner as is detrimental to fish therein and to persons fishing therein; providing a penalty for such acts; and declaring an emergency."

H. B. No. 18, A bill to be entitled "An Act regulating operation of motor vehicles; amending Section 8 of Chapter 42, Acts of the 41st Legislature, Second Called Session, as amended, and other statutes relating to the operation of motor vehicles; and declaring an emergency."

H. B. No. 50, A bill to be entitled "An Act amending Section 1 of Chapter 10, General Laws of the 42nd Legislature, Regular Session, 1931, codified as Article 1268a of Vernon's Texas Penal Code, so as to enlarge the offense defined therein to include threats for the purpose or with the view of extorting money or anything of value from the person threatened or from any other person; and declaring an emergency."

H. B. No. 43, A bill to be entitled

"An Act amending Section 1 of Senate Bill 5, Acts of the 48th Legislature, Regular Session, 1943, Chapter 98, page 168, codified in Vernon's as Article 135b-1, Vernon's Civil Statutes, so as to make the provisions of the insecticide and fungicide law applicable to household insecticides including any substance or mixture of substances offered for use for preventing, destroying, repelling or mitigating any insects or pests which may infect household goods; making other provisions relating thereto; providing a repealing clause; providing a severability clause, and declaring an emergency."

H. B. No. 63, A bill to be entitled "An Act to amend Section 37, Chapter 4, page 602, Acts 1939, Forty-sixth Legislature, Regular Session, to provide for the licensing and regulation of auto wreckers, junk dealers, and rebuilders of motor vehicles for resale; defining the term "Person"; determining who shall obtain a license; providing for annual renewal of such license; placing the administration of the law in the State Highway Department and enumerating its rights, powers, and duties in respect thereto; providing for a fee to be charged for the issuance of licenses and providing for the disposition of fees collected; requiring Certificates of Title and reports to be furnished the Department; requiring persons licensed under this Act to keep a permanent record in the English language and description of each and every motor vehicle wrecked, junked, dismantled, permanently disassembled, rebuilt for resale or substantially altered by the licensee; providing for these records to be open for examination; providing a penalty for failing to comply with the provisions of this Act and defining such penalty; authorizing the promulgation of rules and regulations; authorizing the Department to designate employees to be used in connection with the administration of this Act and giving said employees necessary auditing authority; providing for the right to appeal the cancellation or suspension of license; providing a saving clause as to constitutionality; repealing all laws in conflict herewith; and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives.

Senate Bill 437 on First Reading

Senator Hardeman moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—26

Aikin	Lock
Ashley	Martin
Bracewell	Moffett
Bradshaw	Moore
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Herring	Smith
Hudson	Weinert
Krueger	Willis
Lane	Wood

Absent

Hazlewood	Secrest
Rogers	

Absent—Excused

Kazen	Owen
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The following bill was then introduced, read first time and referred to the Committee indicated:

By Senators Hardeman, Lane, Krueger, Wood, Herring and Hudson:

S. B. No. 437, A bill to be entitled "An Act providing that it shall be unlawful for any officer or employee of this State or any other person to build, construct, erect or maintain any building, structure, memorial, monument, statue or concession or any other structure, including parking areas or additional paving on any of the grounds surrounding the State Capitol that were bounded by certain streets on January 1, 1955, with certain exceptions; providing a penalty; providing grounds for impeachment or for removal from office of certain officers and employees; providing a savings clause; repealing all laws in conflict herewith; and declaring an emergency."

To the Committee on State Affairs.

Co-Authors of Senate Bill 437

On motion of Senator Hardeman and by unanimous consent Senators

Herring and Hudson will be added as co-authors of S. B. No. 437.

Senate Bill 438 on First Reading

Senator Hardeman moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—26

Aikin	Lock
Ashley	Martin
Bracewell	Moffett
Bradshaw	Moore
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Herring	Smith
Hudson	Weinert
Krueger	Willis
Lane	Wood

Absent

Hazlewood	Secrest
Rogers	

Absent—Excused

Kazen	Owen
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The following bill was then introduced, read first time and referred to the Committee indicated:

By Senators Hardeman and Lane:

S. B. No. 438, A bill to be entitled "An Act to amend Articles 3.42 and 3.43 of the Insurance Code (Acts 1951, 52nd Leg., Ch. 491, as amended) relating to the filing with and approval by the Board of Insurance Commissioners of all policy forms, endorsements, and riders issued by any life, accident, health, accident and health or hospitalization insurance company, doing business in this State; providing specific grounds for disapproval; providing for judicial review of any such orders; repealing all laws in conflict herewith; and declaring an emergency."

To the Committee on Insurance.

Senate Bill 439 on First Reading

Senator Smith moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be sus-

pended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—26

Aikin	Lock
Ashley	Martin
Bracewell	Moffett
Bradshaw	Moore
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Herring	Rogers
Hudson	Weinert
Krueger	Willis
Lane	Wood

Absent

Hazlewood	Smith
Secrest	

Absent—Excused

Kazen	Owen
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The following bill was then introduced, read first time and referred to the Committee indicated:

By Senator Smith:

S. B. No. 439, A bill to be entitled "An Act amending Article 2355, Revised Civil Statutes of Texas, 1925; and declaring an emergency."

To the Committee on State Affairs.

Bills Signed

The President signed in the presence of the Senate after the captions had been read, the following enrolled bills:

S. B. No. 94, A bill to be entitled "An Act amending Article 13.34 V.A.T.S. Election Code, Revised Civil Statutes of Texas, 1925, by adding a provision that representatives of newspapers, wire news services, radio and television stations, shall have the right to attend the precinct conventions, and county conventions and the State convention for the purpose of reporting the proceedings thereof; and declaring an emergency."

S. B. No. 129, A bill to be entitled "An Act amending the Texas Business Corporation Act, Chapter 64, Acts 1955, 54th Legislature; said Act

being amended by amending Section A of Article 2.18; amending Article 2.19 by adding thereto two additional sections, Section E and Section F; amending Section A of Article 2.22; amending Section C of Article 2.22; amending Section A of Article 3.02; amending Section A of Article 3.04; amending Section B and Paragraph (2) of Section C of Article 4.07; amending Article 5.09; amending Article 5.10; amending Article 5.11; amending Section B of Article 8.01; amending Section A of Article 8.14; and amending paragraph 13 of Section A of Article 10.01; containing a partial invalidity clause; and declaring an emergency."

S. B. No. 280, A bill to be entitled "An Act creating the 'Tri-County Municipal,' a conservation District under Article XVI, Section 59, of the Constitution, comprising the territory contained within the cities of Cleburne, Hillsboro, Whitney, Itasca, Valley Mills, Rio Vista, Clifton, Blum and Meridian, for the purpose of providing a source of water supply for municipal, domestic and industrial use and processing and transporting the same; providing for the annexation of additional territory thereto; providing for a Board of Directors for the government of said District; prescribing other powers of the District; enacting other provisions relating to the subject; and declaring an emergency."

S. B. No. 372, A bill to be entitled "An Act to provide for the creation of Rural Fire Prevention Districts, prescribing the method of their creation including the requiring for a petition, hearing, and election thereon; etc.; and declaring an emergency."

Senate Resolution 321

Senator Fuller offered the following resolution:

Whereas, We are honored to have in the gallery today The Melody Maids of Beaumont, Texas; and

Whereas, These fine young ladies and their sponsor, Mrs. Eloise Milam have spread the good name of the State of Texas throughout the nation and abroad; and

Whereas, They have held the quality of good artistry and conduct along with good citizenship; and

Whereas, They are in the Capital City for the purpose of presenting a

program before a joint session of the Legislature; now, therefore, be it

Resolved, That we officially recognize these fine young people and their sponsor and teacher, and that a copy of this resolution be presented to them.

The resolution was read and was adopted.

Senator Fuller by unanimous consent presented Mrs. Milam and The Melody Maids to the Members of the Senate.

Senate Resolution 322

Senator Colson offered the following resolution:

Whereas, It has been the custom to have the photographs of the Governor, Lieutenant Governor, Senators, and Secretary of the Senate prepared in a block picture and placed in the Senate Chamber at the end of each legislative session; and

Whereas, It is the desire of the Senate to honor the children of the Members of the Senate as mascots; now, therefore be it

Resolved, That all sons of the Members of the Senate who have not reached their fifth birthday are hereby elected mascots of the Senate, and that their pictures be included in the block picture of the Senate; and, be it further

Resolved, That all daughters of the Members of the Senate who have not reached their fifth birthday are hereby elected sweethearts of the Senate and their pictures be included in the block picture of the Senate; and be it further

Resolved, That this resolution shall not include the children previously named mascots or sweethearts in the Senate, and whose pictures appear on existing block picture panels of the Senate; and, be it further

Resolved, By the Senate of Texas, that a committee of three (3) Senators be appointed to arrange to have the photographs made of the Governor, Lieutenant Governor, Senators, Secretary of the Senate, Mascots, and Sweethearts, and that said photographs be arranged in a block panel and placed in the Senate Chamber, the expenses for which to be paid out of the contingent fund of the Senate.

The resolution was read and was adopted.

Accordingly the president announced the appointment of the following as a committee for the block picture: Senators Colson, Reagan and Hudson.

Senate Concurrent Resolution 58

Senator Moffett offered the following resolution:

S. C. R. No. 58, Commending students and ex-students of A. and M. College on Muster Day.

Whereas, The historical background of Texas is one of the most unique among the forty-eight states of the American Union in that our State once dwelt under the flag of another Republic of the Western Hemisphere, later became an independent Republic in its own right, and still later voluntarily joined the American Union; and

Whereas, Another distinction enjoyed by the Lone Star State is that its first state-supported institution of higher learning was devoted to courses in agriculture and the mechanic arts; and

Whereas, The justification for the establishment of this type of college instruction has been amply demonstrated by the achievements of scientific agriculture and engineering since the founding of the land grant colleges, and more particularly in recent years when graduates in these two fundamental branches of learning find themselves in greater demand than ever before known in the history of the world; and

Whereas, The Texas A. and M. College is not only the State's first state-supported institution of higher learning but likewise the largest military institution in the world, thus making a substantial contribution to the essential defense program of our country; and

Whereas, On April 21st, fifty-four years ago, the student body of Texas A. and M. College initiated its first Muster Day, which was coincidental with the date upon which the Independence of Texas was won; now, therefore, be it

Resolved, By the Senate of Texas, the House of Representatives concurring, that the students and ex-students of Texas A. and M. College be commended for having inaugurated and perpetuated the observance of Muster Day on April 21st of each calendar year since 1903, and that

they be further commended for the zeal and diligence which they have shown in continuing the traditions of our State, established by our forefathers at the Battle of San Jacinto on April 21, 1836, and be it further

Resolved, That a copy of this resolution be sent to the President of the Ex-students Association of Texas A. and M. College, the Chancellor of the A. and M. College System, and to such organized A. and M. ex-students clubs as may be requested by Members of the Legislature who are ex-students of the A. and M. College of Texas.

MOFFETT
ROBERTS
BRACEWELL
COLSON
ROGERS
MOORE

The resolution was read.

On motion of Senator Moffett and by unanimous consent the resolution was considered immediately and was adopted.

Committee to Escort the Melody Maids to Joint Session

The President announced the appointment of the following committee pursuant to the provisions of H. C. R. No. 41, to escort The Melody Maids to the Joint Session:

Senators Fuller, Lock, Colson, Bracewell and Ashley.

Joint Session

(To hear The Melody Maids.)

The President announced that pursuant to the provisions of H. C. R. No. 41, the time had arrived for the Joint Session to hear the Melody Maids of Beaumont, Texas.

The President of the Senate and the Senators present proceeded to the Hall of the House of Representatives at 11:00 o'clock a.m.

The Senators were announced and were admitted and escorted to seats prepared for them along the aisle.

The Melody Maids were announced by the Doorkeeper of the House.

The guests were escorted to the Speaker's rostrum by Senators Fuller, Lock, Colson, Bracewell and Ashley on the part of the Senate and Representatives Kilpatrick, Oliver,

Harrington, Zbranek, Dugas, Wheeler, Forsyth, Holman, Walling and Smith of Jefferson on the part of the House of Representatives.

The President called the Senate to order and announced a quorum of the Senate present.

Hon. Waggoner Carr, Speaker of the House of Representatives, called the House to order and announced a quorum of the House present.

The Speaker announced the purpose of the Joint Session and presented Representative Will Smith as Presiding Officer for the Joint Session.

Mr. Smith gave some of the history of The Melody Maids and presented Mrs. Milam to the Joint Session.

The Melody Maids then entertained the Joint Session with several musical numbers.

At the conclusion of the program, Mr. Smith presented Mrs. Milam with an enrolled copy of H. C. R. No. 41.

The President announced the purpose of the Joint Session concluded and requested the Senators to retire to the Senate Chamber.

In Legislative Session

The President called the Senate to order as in Legislative Session at 11:47 o'clock a.m.

Senate Resolution 323

Senator Moffett offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate Dr. Travis White, President of Midwestern University, and Dr. D. L. Ligon, Vice-President of Midwestern University, Wichita Falls, Texas, and Mr. and Mrs. Killen Moore, prominent citizens of Vernon, Texas; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senate Resolution 324

Senator Hazlewood offered the following resolution:

Whereas, We are honored today to have as a visitor in the Senate, Mr. J. W. Hill, prominent citizen of Amarillo, President of the Downtown Kiwanis Club, Director of the Chamber of Commerce in 1955-56, Sunday School Superintendent of the Central Presbyterian Church for a long number of years; and

Whereas, We desire to welcome this distinguished visitor to the Capitol Building and Capital City; Now, therefore, be it

Resolved, That his presence be recognized by the Senate of Texas and that he be extended the official welcome of the Senate and the privileges of the floor for the day.

The resolution was read and was adopted.

Senate Resolution 325

Senator Ashley offered the following resolution:

Whereas, We are honored today to have in the gallery the American Government Class of Utopia High School, accompanied by Mr. Lawrence E. Taylor; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; and

Whereas, These fine young American citizens are here to observe and learn firsthand the workings of their State Government; Now, therefore, be it

Resolved, That we officially recognize and welcome this class and commend them for their interest, and that a copy of this resolution, properly indorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Ashley by unanimous consent presented the students and Mr. Taylor to the Members of the Senate.

Senate Resolution 326

Senator Gonzalez offered the following resolution:

Whereas, We are honored today

to have in the gallery a representation of students from colleges over the State of Texas attending the State Government Seminar of Texas Methodist Movement; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens are here to observe and learn firsthand the workings of their State Government; now, therefore, be it

Resolved, That we officially recognize and welcome this group and commend them for their interest, and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Gonzalez by unanimous consent presented the students to the Members of the Senate.

Senate Concurrent Resolution 59

Senator Martin offered the following resolution:

S. C. R. No. 59, Requesting Texas Legislative Council to handle and direct bill drafting for the Legislature.

Whereas, The Act creating the Legislative Council cited "a definite need in this State for an agency to assist the Legislature and its individual members in obtaining information upon specific legislative problems and matters affecting the general welfare of the State and to assist said members in drafting proposed legislation"; and

Whereas, The Legislative Council hitherto has devoted the major portion of its bill-drafting activities to matters requiring comprehensive research; and

Whereas, Legislative service agencies similar to the Texas Legislative Council have been activated in two-thirds of the States of the Union in order to provide needed assistance in meeting the increasing number and complexity of problems arising for legislative consideration, and most of these Councils have found it advisable to intensify and expand their services to include the bulk of the bill-drafting operations of their respective States; and

Whereas, For many years the Office

of the Attorney General, as a courtesy and accommodation to members of the Legislature, has provided incalculable assistance in the preparation of bills; and

Whereas, In rendering bill-drafting service, the Attorney General of Texas, an officer in the Executive Department of our State government, is in a unique position in that at present he is asked to draft measures for the Legislative Department and then is called upon to determine and defend their constitutionality; and

Whereas, The present distinguished Attorney General, the Honorable Will R. Wilson, animated by a commendable desire to promote the separation of the Executive and Legislative branches of the State government as visualized by the framers of the Texas Constitution, has recommended the transfer of all bill-drafting functions now performed in his Office to the Texas Legislative Council and, in the event of the adoption of this plan by the Legislature, has offered to assist the Council as needed by the assignment of members of the Attorney General's legal staff; now, therefore, be it

Resolved by the Senate of the Texas Legislature, the House of Representatives concurring, That the Attorney General's Office be commended for the excellent bill-drafting services heretofore rendered; and be it further

Resolved, That the Texas Legislative Council be requested to assume major responsibility for handling and directing bill drafting for the Legislature such to be as requested by Members and committees of the Legislature, effective upon the sine die adjournment of the current regular session; and be it further

Resolved, That the Legislative Council be requested to take advantage, as it may deem desirable, of such assistance as may be offered by the Attorney General's Office and other departments and agencies of the State in bill drafting.

The resolution was read and was referred to the Committee on State Affairs.

Senate Concurrent Resolution 60

Senator Martin offered the following resolution:

S. C. R. No. 60, Requesting committee for study, recommending and

drafting legislation for aid of State's aged citizens.

Whereas, The State of Texas has a long history of justice and humanitarian concern over the economic, health and social well-being of all of its citizens, but these needs of our State's older citizens are not presently being fulfilled in a manner to pay proper respect and honor to its older citizens, or for the State to reap full benefit from these citizens' vast store of experience, wisdom and productivity potential; and

Whereas, The rate of increase of older people in our nation has been twice that of the population as a whole, for example, in 1900 those sixty-five (65) years of age and over constituted 4.1 per cent of the nation's population, and by 1950 the proportion had doubled to 8.1 per cent and is still continuing to rise; and

Whereas, another basic element is that of life expectancy; for example, in 1900 the average male child could expect to live to forty-six (46) years of age, but by 1952 he could expect to live to sixty-six (66), or twenty years longer; and the female baby in 1900 could look forward to forty-eight (48) years of life, but in 1952 she could expect to live to seventy-two (72) or twenty-four (24) years longer; and

Whereas, Less than half of our citizens 65 and over are employed and the nation is losing \$3.8 billion a year by not utilizing their productivity, according to the estimate of a distinguished economist, and this results in an annual expenditure today of more than \$1.5 billion in old age assistance payments for 2,700,000 citizens of our country who are over 65 years of age, and a national outlay of almost \$4 billion last year to more than 8,000,000 beneficiaries of Old Age and Survivors Insurance and conservative estimates of around \$20 billion annually are in prospect just a generation from now; and

Whereas, One of the paramount aspects to the question of how the State can best meet its responsibilities in this matter is the problem of unemployment, created because employment opportunities begin to fade for these older citizens, and the shock of compulsory retirement because of age alone strikes; the available jobs go to younger persons; skills and trades become obsolete; despite the fact that most older persons want to work and

do continue working as long as they are physically fit and can find employment; as attested to by the fact that in 1890, 68 per cent of those 65 and over were gainfully employed, but by 1950 the proportion had declined to 43 per cent and is expected to go down further to 35 per cent, or even less, in the next 25 years; and

Whereas, The problem is a major one of income, since the paramount concern of most older people as they approach retirement is how to maintain an independent, American standard of living on a sharply reduced income; and thus the inability to provide decently for themselves creates a government economic problem as well as a tragic situation for the older citizens themselves, since the greater majority of such citizens are forced to look to government for pensions and assistance to provide them with such basic living necessities as nourishing food, decent housing, clothing, medical services, opportunities for social life and recreation and education; and to underscore the foregoing facts, statistics show that almost one-third of all aged families in 1954 had no liquid assets at all, and 50 per cent had less than \$500; and this means that too often dependency, worry and deterioration become the destiny of many aging persons who have contributed a lifetime of production to the amazing growth of the American economy; and

Whereas, The problem is also one of housing, since studies indicate that the housing available to large numbers of older people is unsatisfactory from the point of view of their safety and health, and their emotional and social needs; and the problem is compounded by the fact that 31 per cent of the men and 62 per cent of the women 65 and over are either single, widowed or divorced and provision for them is limited; and

Whereas, The problem is also one of mental and physical health, since a recent survey shows that persons 65 and over in all hospitals were more than double their proportion of the total population, and one-half of all persons over the age of 65 have some chronic disease or physical impairment, and in too many cases maintenance of good physical health is hampered by lack of knowledge of nutrition, by inadequate care in hospitals and nursing homes, by failure or inability to use preventive meas-

ures; and far too often the lot of our older citizens who have had pride and enjoyment in their work becomes one of loneliness, rejection, lack of usefulness and insecurity; and there are various other aspects of equal importance which are seriously in need of research and corrective action; now therefore, be it

Resolved by the Senate of the State of Texas, the House of Representatives of the State of Texas concurring, That a committee composed of fifteen (15) members be appointed for the purpose of studying, drafting and recommending to the next Legislature, legislation to be enacted for the aid of the State's aged citizens, which should include recommendations on the special problems of the aged in matters of, but not limited to, health, both physical and mental; rehabilitation, both vocational and health; family relations; employment and income; housing; and any other related fields in which the committee may feel action is necessary and proper for the well-being of the aged; that the President of the Senate appoint five (5) members of the Senate to serve on said committee, and that the Speaker of the House of Representatives appoint five (5) members of the House of Representatives to serve on said committee, and that the Governor of the State of Texas appoint any five (5) outstanding citizens to serve on said committee; and be it further

Resolved, That the members of the Legislature shall receive their expenses when in actual attendance upon the meetings of this committee, to accomplish the purposes set out herein; and said committee is empowered to effect its own organization and to adopt such procedure as the committee may deem necessary; said committee shall elect its own chairman and other officers; said committee is hereby authorized to request special reports and information from all governmental agencies that said committee may deem necessary; said committee may hold meetings or hearings at any place within the State of Texas; said committee shall make its recommendations to the Governor, the Legislature, and the people of Texas. Said committee is authorized within the limits of any appropriation made to employ necessary help to carry out the purposes of this Resolution, and members shall be entitled

to receive actual expenses when attending meetings of said committee.

The resolution was read and was referred to the committee on State Affairs.

Senate Resolution 327

Senator Colson offered the following resolution:

Whereas, We are honored today to have as a visitor in the Senate the Honorable Bill Daniel, former Member of the House of Representatives from Liberty, Texas; and

Whereas, We desire to welcome this distinguished visitor to the Capitol Building and Capital City; now, therefore, be it

Resolved, That his presence be recognized by the Senate of Texas and that he be extended the official welcome of the Senate, and extended him the privileges of the floor for today.

The resolution was read and was adopted.

Senator Colson by unanimous consent presented the distinguished guest to the Members of the Senate.

Message from the Governor

The following message, received from the Governor today was read and was referred to the Committee on Nominations:

Austin, Texas,
April 8, 1957.

To the Senate of the Fifty-fifth Legislature:

I ask the advice, consent, and confirmation of the Senate with reference to the following appointment:

To be a Member of the Board of Insurance Commissioners of Texas for a regular term to expire February 10, 1963:

Joe P. Gibbs of Seguin, Guadalupe County.

Respectfully submitted,
PRICE DANIEL,
Governor of Texas.

Conference Committee on House Bill 133

Senator Fly called from the President's table for consideration at this time the request of the House for a Conference Committee to ad-

just the differences between the two Houses on H. B. No. 133 and moved that the request be granted.

The motion to grant the request prevailed.

Accordingly, the President announced the appointment of the following conferees on the bill on the part of the Senate:

Senators Fly, Lane, Roberts, Bradshaw and Martin.

Executive Session

On motion of Senator Lock and by unanimous consent, the Senate agreed to hold an executive session at 11:59 o'clock a.m. today.

Accordingly the President directed all those not entitled to attend the executive session of the Senate to retire from the Senate Chamber and instructed the Sergeant-at-Arms to close all doors leading from the Chamber.

At the conclusion of the executive session, the Secretary of the Senate informed the Journal Clerk that the Senate had confirmed the following nominations of the Governor:

To be Members of the Board of Regents for Lamar State College of Technology for terms to expire October 5, 1961: Otho Plummer of Beaumont, Jefferson County; Charles S. Pipkin of Beaumont, Jefferson County.

To be a Member of the State Youth Development Council for term to expire July 23, 1961: Walter K. Kerr of Tyler, Smith County.

To be a Member of the State Commission for the Blind for six-year term to expire January 1, 1963: Richard B. Moncrief of Fort Worth, Tarrant County.

To be Executive Secretary of the Teacher Retirement System: Frank M. Jackson of San Angelo, Tom Green County.

To be Interstate Compact Commissioner for term to expire December 3, 1957, to fill unexpired term of Henry L. Woodworth, resigned: Colonel John J. Ledbetter of Austin, Travis County.

To be a Member of the Board of Regents of North Texas State Col-

lege for a six-year term to expire May 25, 1961: Miss Emma Mae Brotze of Marshall, Harrison County.

To be a Member of the Board of Regents, Texas State College for Women, for a six-year term to expire January 10, 1963: Mrs. Edgar (Edith Alderman) Deen of Fort Worth, Tarrant County (reappointment).

To be a Member of the Highway Commission for a six-year term to expire February 15, 1963: Brady Gentry of Tyler, Smith County (designated Chairman).

To be a Member of the Texas Commission on Higher Education for term to expire March 31, 1957: W. N. Durham, Jr., of Amarillo, Potter County.

To be a Member of the Texas Employment Commission for term to expire November 21, 1962, succeeding Dean Maxwell, resigned: R. F. Newman of Borger, Hutchinson County.

In Legislative Session

The President called the Senate to order as in Legislative Session at 12:30 o'clock p.m.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
April 8, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 100, A bill to be entitled "An Act amending Article 6221, Revised Civil Statutes of Texas 1925, as amended, so as to provide for the payment of an increased pension to Confederate Veterans; and declaring an emergency."

H. B. No. 165, A bill to be entitled "An Act prohibiting the making or filing of false, misleading or unfounded reports to any Law Enforcement Agency of the State of Texas, for the purpose of interfering with the operation of such Law Enforcement Agency or with the intent to mislead or malign any officer of such Agency, defining such reports, and providing a penalty for violation of this Act and declaring an emergency."

H. B. No. 171, A bill to be entitled "An Act providing that the Judge of the Court of Domestic Relations of Hutchinson County, Texas, shall receive such compensation as allowed other District Judges by the laws of this State; providing that said compensation shall be paid by the Commissioners Court of Hutchinson County out of the General Fund or the Officer's Salary Fund of the County; providing for a repealing clause; providing for a severability clause; and declaring an emergency."

H. B. No. 201, A bill to be entitled "An Act relating to means by which fish may be taken in certain lakes and portions of the Colorado River, beginning at Tom Miller Dam in Travis County and extending to the headwaters of Buchanan Lake in San Saba and Lampasas Counties; amending Sections 1, 2, and 3 of Chapter 105, Acts of the 52nd Legislature, 1951, redefining the waters to which the Act applies, changing the limit on the number of hooks with which a trotline may be equipped, and removing the limit on the aggregate number of hooks which may be used; repealing Chapter 6, Acts of the 48th Legislature, 1943; and declaring an emergency."

H. B. No. 253, A bill to be entitled "An Act amending Article 2875, Revised Civil Statutes, of 1925, as amended so as to permit common school districts with a scholastic population of 300 or more to requisition textbooks in the same manner as city and town superintendents; and declaring an emergency."

H. B. No. 256, A bill to be entitled "An Act amending Section 2 of Article 21.38 of the Insurance Code of Texas, 1951, as amended, said Section 2 to be amended by changing its caption, by retaining some of its provisions, increasing the annual license fee to agents licensed under Article 21.38 to \$100.00; prescribing the fund into which the license fee shall be placed, by placing a tax equal to five (5%) per cent of the premium paid for insurance in such unauthorized insurer, prescribing the manner in which any by whom such tax shall be paid, providing for the filing of an affidavit in form approved by the Board of Insurance Commissioners, requiring certain reports of agents licensed under Article 21.38 and provid-

ing a penalty; repealing conflicting laws and parts of laws to the extent of such conflicts; providing for a severability clause; and declaring an emergency."

H. B. No. 287, A bill to be entitled "An Act concerning branch banking, amending Article 3, Chapter IX of Chapter 97, Acts 48th Leg., 1943, which amended and replaced Revised Civil Statutes of Texas, 1925, Article 538 (and which is compiled as Tex. Civ. Stat. Art. 342-903 (Vernon 1948), and declaring an emergency."

H. B. No. 295, A bill to be entitled "An Act requiring a minimum of 10 days notice to tenants to vacate for non-payment of rent; providing for action in forcible detainer or at common law after the expiration of notice."

H. B. No. 326, A bill to be entitled "An Act concerning the cigarette tax; continuing the allocation to the State Hospitals and Special Schools Building Fund; amending House Bill No. 755, Acts of Forty-fourth Legislature, Regular Session, 1935, chapter 241, as amended; and declaring an emergency."

H. B. No. 337, A bill to be entitled "An Act changing the composition of the 135th Judicial District so as to exclude San Patricio County therefrom; amending Chapter 306, Acts of the 52nd Legislature, as amended by Chapter 86, Acts of the 53rd Legislature, Regular Session, to delete provisions relating to San Patricio County; providing for transfer of cases pending in the 135th District Court in San Patricio County to the 36th District Court in San Patricio County; and declaring an emergency."

H. B. No. 356, A bill to be entitled "An Act validating and confirming citations, citations by publication and all notices, and the returns on each, issued, accepted and relied upon by any court of competent jurisdiction prior to January 1, 1956, in any probate proceedings, administration or guardianship in this State, provided the legality of such citations, notices and returns are not being questioned in a court or probate proceeding on the effective date of this Act; and declaring an emergency."

H. B. No. 389, A bill to be entitled "An Act providing that it shall be

unlawful to kill mink in Gregg, Rusk, Upshur and Wood Counties, Texas, for a period of two (2) years from and after the passage of this Act; repealing all laws in conflict; providing a penalty; and declaring an emergency."

H. B. No. 390, A bill to be entitled "An Act regulating the taking and killing of deer in Upshur and Wood Counties, Texas; providing open and closed seasons; providing penalties for violation of this Act; and declaring an emergency."

H. B. No. 392, A bill to be entitled "An Act amending Section 4, Section 8, Section 11 and Section 14 of Chapter 94, Acts of the Fifty-first Legislature, 1949, by adding to said Section 4, sub-divisions to be known as 4a and 4b, providing for the appointment of committees within the Board, describing their duties, providing for the issuance of subpoenas, administration of oaths, the procedure of conducting hearings, and by adding to Section 8, new subdivisions to be known as 8a, 8b, and 8c, providing for cancellation and penalties for failure to renew licenses annually, providing for licensees to attend educational lectures or post graduate courses as a prerequisite for annual renewal of licenses, defining internes and providing for their supervision; and by amending Section 11, providing fees for the payment of expenses of the Board and disbursement thereof; and by amending Section 14 pertaining to the authority of the Board to revoke, cancel or suspend licenses or refuse to admit persons to its examination; providing for repeal of all laws and parts of laws in conflict herewith, and providing for severability, and declaring an emergency."

H. B. No. 438, A bill to be entitled "An Act reorganizing the 64th Judicial District to be composed of the Counties of Hale and Swisher; creating the 154th Judicial District to be composed of the Counties of Lamb, Bailey, Parmer and Castro; prescribing the jurisdiction of the 64th and 154th Judicial Districts and conforming the jurisdiction of each court; providing that the District Attorney of the 64th Judicial District shall continue as District Attorney for said District, as reorganized, providing that the present judge of the 64th Judicial District shall continue to be Judge of the 154th Judicial District

providing for the appointment of a District Judge of the 64th Judicial District as reorganized; providing for the appointment of a District Attorney for the 154th Judicial District as created; providing for the election of officers of the 64th Judicial District and the 154th Judicial District; prescribing the qualifications, powers and duties of various officers of the 64th and 154th Judicial Districts; providing for transfer of cases; providing that all writs and processes issued, bonds, bail bonds, recognizances, complaints, informations, indictments, and ancillary matters and all other matters heretofore issued are authorized and valid and returnable to the Court of the respective Districts; providing for the terms of the 64th and 154th District Courts; making other provisions necessary to carry out the reorganized 64th Judicial District; providing a repealing clause; providing a severability clause; providing an effective date and declaring an emergency."

H. B. No. 441, A bill to be entitled "An Act granting to teachers and auxiliary employees who waived membership in the Teacher Retirement system of Texas the privilege of receiving full former service credit toward retirement upon compliance with certain conditions; amending Section 4, Subsection 5, Paragraph (a) of Chapter 470, Acts of the 45th Legislature, as amended; and declaring an emergency."

H. B. No. 455, A bill to be entitled "An Act amending Subsection (2) of Section 2, and Section 3, and Section 13, of Chapter 173 of the Acts of the 47th Legislature, 1941, being Subsection (a) of Section 2, and Section 3, and Section 13, of Article 6687b of Vernon's Civil Statutes, and adding a new Section 3a to said Chapter 173, to make certain things matters of defense rather than matters of exemption; to require every person required to have a license to have and display same on demand; defining an offense and prescribing a penalty; providing the State shall not have to prove the accused to be a licensee; defining the application of the Act; and declaring an emergency."

H. B. No. 449, A bill to be entitled "An Act granting to State employees who terminated membership in the Employees Retirement System of Texas as prior to February 1, 1953, and

withdrew their accumulated deposits, the privilege of redepositing such funds and receiving credit for prior service, under certain conditions and limitations; and declaring an emergency."

H. B. No. 467, A bill to be entitled "An Act establishing a juvenile board in Panola County; prescribing the membership and powers of the board and providing for compensation of its members; authorizing the board to appoint a juvenile officer; prescribing the powers and duties of the juvenile officer and providing for his compensation and expenses; repealing conflicting laws; providing for severability; and declaring an emergency."

H. B. No. 470, A bill to be entitled "An Act to amend subdivision (1) of Article 1350, Penal Code of the State of Texas of 1925, as amended, so as to set out expressly that it is unlawful to injure or destroy public property of the State of Texas or its political subdivisions without the consent of the person in charge of such property; and declaring an emergency."

H. B. No. 476, A bill to be entitled "An Act amending Article 6205, Revised Civil Statutes of Texas, 1925, as amended, to provide that widows of Confederate soldiers and sailors who were married to such soldiers and sailors prior to January 1, 1922, shall be eligible for pensions under certain circumstances and to provide that no widow of a confederate veteran born since January 1, 1886, shall be entitled to a widow's pension; and declaring an emergency."

H. B. No. 486, A bill to be entitled "An Act creating three (3) additional District Courts in and for Bexar County, Texas, to be known as the 146th, 147th and 150th District Courts; providing that the 146th District Court, the 147th District Court, and the 150th District Court shall not function as courts until the Judges thereof have been duly elected in the general election in November, 1958, and have qualified and until January 1, 1959; changing the name and the designation of the Special 37th Judicial District Court to the 131st Judicial District Court; prescribing the terms and jurisdiction of said District Courts; adjusting the terms, jurisdiction and business of the District Courts of Bexar County; providing that the

Judges of the present District Courts of Bexar County shall continue to hold their offices for the terms for which they were elected and until their successors qualified; providing for the election of the Judges of the 146th, 147th and 150th District Courts; prescribing their qualifications, powers and duties; providing for the appointment, designation, compensation, powers, and duties of other officers of the District Courts of Bexar County; providing the method of selecting juries; making other provisions relating to the business and functioning of the District Courts of Bexar County, amending Article 52-161 of the Code of Criminal Procedure, 1925, as amended, as the same relates to and provides for Criminal District Courts of Bexar County; amending Article 199 of the Revised Civil Statutes of Texas, 1925, as the same relates to and provides for the District Courts of Bexar County, Texas; providing a repealing clause; providing a severability clause and declaring an emergency."

H. B. No. 517, A bill to be entitled "An Act amending Article 5155, Revised Civil Statutes of Texas, 1925, as amended, so as to make its provisions relating to employees' wages applicable to every person; and declaring an emergency."

H. B. No. 539, A bill to be entitled "An Act providing that it shall be unlawful to sell, or offer for sale, any rat poison, insect poison, or any other preparation which contains thallium sulphate or any other thallium compound, in sufficient quantity to be dangerous to the health or life of a human being, declaring violation of this Act to be a misdemeanor punishable by a fine, and prescribing a penalty for the violation thereof, and declaring an emergency."

H. B. No. 577, A bill to be entitled "An Act amending Section 5 of the Optional County Road Law of 1947 (Chapter 178, Acts of the 50th Legislature, codified as Article 6716-1 of Vernon's Texas Civil Statutes), so as to authorize the employment of a County Road Administrator to perform the duties imposed upon the County Road Engineer in the event a county is unable to employ a licensed professional engineer."

H. B. No. 581, A bill to be entitled "An Act amending Chapter 170, Acts

of the Fifty-fourth Legislature, Regular Session, 1955, codified in Vernon's as Article 82a, Vernon's Civil Statutes and relating to pink bollworm control so as to authorize the Commissioner of Agriculture to designate the date of election and polling places where the cotton growers of this State shall have the opportunity to approve or reject the provisions of such Act; providing payment of fees into escrow accounts and related provisions; providing the method of selection of depositories; making other provisions relating thereto; providing a severability clause and declaring an emergency."

H. B. No. 589, A bill to be entitled "An Act amending Article 8224 of the Revised Civil Statutes of the State of Texas, 1925, prescribing the authority of the Navigation and Canal Commissioners of Navigation Districts created under Art. 3, Sec. 52 of the Constitution of the State of Texas in relation to construction contracts in cases of public calamity or extreme emergency or unforeseen damage to property of such navigation districts, and providing for the procedure for contracts in cases of emergency, and declaring an emergency."

H. B. No. 530, A bill to be entitled "An Act prescribing the annual license fee for the registration of a motor vehicle owned and operated by a non-profit, service organization and designed, constructed and used primarily for promotion, demonstration or parade purposes, where such vehicle is not licensed for registration under other laws of this State; providing a severability clause and declaring an emergency."

H. B. No. 604, A bill to be entitled "An Act creating the 120th and 121st District Courts, composed of Harris County; describing the jurisdiction and terms of said courts; providing for the appointment, election and compensation of the judges of said courts; providing a repealing clause; providing a severability clause; and declaring an emergency."

H. B. No. 605, A bill to be entitled "An Act creating an additional Criminal District Court for Harris County; prescribing the jurisdiction thereof; providing for the organization of the court; providing for the transfer and docketing of cases; providing for

trial and disposition of cases in a Criminal District Court during the absence of the Judge thereof; prescribing the qualifications, jurisdiction, duties and powers of the judge thereof; providing for the appointment, election and compensation for the judge; providing for a seal of the court; providing for the sheriff, district attorney and clerk for said court; providing for appointment and compensation of an assistant District Attorney and of special deputy clerks; providing for the appointment of an official court reporter; fixing the time for holding the terms of the court and providing for jury service and empanelling of grand juries; limiting and conforming the jurisdiction thereof to the jurisdiction of the Criminal District Court of Harris County, Criminal District Court No. 2 of Harris County and Criminal District Court No. 3 of Harris County; making an appropriation; providing for severability; repealing all laws and parts of laws in conflict with the provisions of this Act to the extent of such conflict; and declaring an emergency."

H. B. No. 621, A bill to be entitled "An Act conferring upon the Game and Fish Commission regulatory Authority over wildlife resources in Hardin, Freestone, Orange, and Jefferson Counties; amending Section 1 of Chapter 125, Acts of the Fifty-second Legislature, 1951, as amended, so as to make this Act applicable to Hardin, Freestone, Orange, and Jefferson Counties, and further amending the said Chapter 125 and Section 1 thereof by transferring certain portions of Section 1 into a new section designated as Section 1a; repealing certain laws and fixing the effective date of the repeal; providing for severability; and declaring an emergency."

H. B. No. 615, A bill to be entitled "An Act closing the season for hunting wild deer in Chambers County for five years; providing a penalty for violation, suspending conflicting laws; and declaring an emergency."

H. B. No. 616, A bill to be entitled "An Act closing the season for hunting alligators in Chambers County for five years; providing a penalty for violation; suspending conflicting laws; and declaring an emergency."

H. B. No. 623, A bill to be entitled "An Act amending Section 7 of Chap-

ter 22, Acts of the 43rd Legislature, Third Called Session, 1934, as added by Chapter 354, Acts of the 51st Legislature, Regular Session, 1949, codified in Vernon's as Section 7 or Article 1187c, Vernon's Civil Statutes so as to authorize cities to sell facilities of municipal fish markets and properties appurtenant thereto acquired pursuant to the provisions of Article 1187c; providing a severability clause; and declaring an emergency."

H. B. No. 645, A bill to be entitled "An Act creating the 121st Judicial District, composed of the counties of Aransas, San Patricio, Bee, Live Oak and McMullen to be known as the 121st District Court, providing for the appointment and election of the Judge of the 121st District Court; providing for the organization of the Court and regulating the practices therein; providing for the appointment of an official shorthand reporter; providing for other officials of the court; prescribing the powers, the duties and compensation of the Judge of the 121st said court: prescribing the qualifications, duties, powers and compensation of other officials of the court; providing for the transfer of certain cases before the 36th and 121st District Courts and for the exchange of benches; providing for the manner of selecting jurors; providing for the transfer of cases pending on the docket of the 135th District Court in San Patricio County to the 121st District Court and for the transfer of all odd numbered civil cases pending on the dockets of the 36th Judicial District Court in the remaining Counties of said 36th Judicial District to the Dockets of the 121st Judicial District in the respective counties; providing that all even numbered cases shall be filed and placed on the dockets of the 36th Judicial District Court and all odd numbered cases on the dockets of the 121st Judicial District Court of the respective counties; providing for the return of all processes to the 121st District Court; making other provisions relating to the 36th and 121st District Courts; providing a repealing clause; providing a severability clause and declaring an emergency."

H. B. No. 654, A bill to be entitled "An Act establishing a Juvenile board in each of the Counties of Hardin and Tyler; prescribing the membership and powers of each board and pro-

viding for compensation of its members; authorizing each board to appoint a juvenile officer; prescribing the powers and duties of the juvenile officer and providing for his compensation and expenses; repealing conflicting laws; providing for severability; and declaring an emergency."

H. B. No. 659, A bill to be entitled "An Act concerning County Law Libraries, amending Acts of the 48th Legislature, Regular Session, 1943, Chapter 192, Section 1, providing for a cost increase on civil cases to benefit the County Law Library Fund."

H. B. No. 667, A bill to be entitled "An Act creating the County Court at Law of Hunt County; defining the jurisdiction of such court; providing for transfer of cases pending in the County Court to such Court and limiting the jurisdiction of the County Court; prescribing terms of Court; providing for the election to office of a judge of such Court; prescribing the judges qualifications and term of office; providing for execution of bond, appointment and compensation of a Special Judge; defining powers of Court and Judge; providing for a Clerk and attendance at Court by Sheriff and Deputy; authorizing initial appointment of Judge by Governor; prescribing fees and salary of Judge; providing for appointment and compensation of a reporter for said Court; making certain other provisions relating to said Courts procedure, organization, and administration; providing a severability clause; repealing conflicting laws; and declaring an emergency."

H. B. No. 681, A bill to be entitled "An Act amending Article 667-6(f) of the Penal Code, to provide a fee of Eight (\$8.00) Dollars upon making an application for an original license, and declaring an emergency."

H. B. No. 696, A bill to be entitled "An Act amending Article 2676, of the Revised Civil Statutes of Texas, 1925, as last amended, to prescribe certain electors and procedures incident to election of county school trustees; providing a severability clause; and declaring an emergency."

H. B. No. 697, A bill to be entitled "An Act providing for fixing the compensation of judges of district courts in the 84th, 31st, 100th, and 69th Judicial Districts; providing the man-

ner of payment; establishing a limitation of amount of such compensation; providing for the validity of the remaining portions of this Act if any part declared unconstitutional; repealing all laws or parts of laws in conflict; and declaring an emergency."

H. B. No. 709, A bill to be entitled "An Act detaching certain territory from Bexar County Water Control and Improvement District No. 13; redefining the boundaries thereof; validating, ratifying, confirming and approving the organizational proceedings and actions of the Board of Directors thereof, except the bond election and related proceedings; making bonds of the District eligible for investments, and exempting the property and the bonds of the District from taxation; making bonds of the District incontestable; providing a savings clause; and declaring an emergency."

H. B. No. 711, A bill to be entitled "An Act providing an open season in Wood County for hunting and killing pheasants; repealing conflicting laws; and declaring an emergency."

H. B. No. 758, A bill to be entitled "An Act authorizing and directing the School Land Board of the State of Texas to charge an appraisal fee; providing that such fees shall be in such amounts as may be fixed by the Board; providing that such fee shall be paid to the Commissioner of the General Land Office; providing for a refund of unused fees; providing that fees which are not refunded shall be deposited in the State Treasury in a Special Fund heretofore created; making an appropriation out of such fund; making the provisions of this Act cumulative; providing a savings and severability clause; and declaring an emergency."

H. B. No. 773, A bill to be entitled "An Act amending Acts of 1951, 52nd Legislature, Page 283, Chapter 165, codified as Article 5139A under Vernon's Civil Statutes, Section 1, so as to increase the county population to include those counties of 45,000 and less which are in a Judicial District having five or more counties with a combined total population of not less than 68,000 inhabitants according to the last preceding Federal Census and providing the compensation and method of payment of the Juvenile Boards of the

counties affected by this Act, and declaring an emergency."

H. B. No. 774, A bill to be entitled "An Act changing the terms of court of the 6th Judicial District composed of the counties of Lamar and Fannin prescribing the terms of court; providing that all process issued and returnable to a succeeding term of court, and all bonds and recognizances made and all grand and petit juries drawn before this Act takes effect shall be valid for and returnable to the next succeeding terms of the 6th District Court of the several counties as herein fixed as though issued and served for such terms and returnable to and drawn for the same; providing that all process issued and made returnable on or before Monday next after the expiration of twenty (20) days from the date of service thereof shall be valid, and unaffected by this Act; making other provisions relating to the functioning of the 6th Judicial District; providing a severability clause and declaring an emergency."

H. B. No. 781, A bill to be entitled "An Act prohibiting the taking of minnows from the public waters of Somervell County for sale, prohibiting licensed bait dealers who take minnows from the public waters of Somervell County from transporting or selling such minnows outside of Somervell County, authorizing licensed bait dealers to take minnows for sale in Somervell County, authorizing licensed bait dealers to take minnows from a private hatchery and transport them for sale, defining a minnow hatchery, providing for a penalty and declaring an emergency."

H. B. No. 783, A bill to be entitled "An Act creating an additional District Court in and for the Counties of Austin, Caldwell, Comal, Fayette, and Hays, to be known as the District Court of the 155th Judicial District; providing the terms and jurisdiction for said Court; providing for the appointment and election of the District Judge of said Court; prescribing his qualifications, powers, duties, term of office and compensation; providing for the appointment of an official Court Reporter for said Court; prescribing his qualifications, duties and compensation; providing for the appointment, designation and compensation of other officers of the

Court; providing for the manner of selecting jurors; providing all process, writs, recognizances and bonds heretofore issued, made, executed or returnable to existing terms of the 22nd Judicial District Court are valid and returnable to the first term of the District Court for the 155th Judicial District after the effective date of this Act; making other provisions relative to the business and functioning of the district courts of Austin, Caldwell, Comal, Fayette, and Hays Counties; providing a severability clause and declaring an emergency."

H. B. No. 822, A bill to be entitled "An Act amending Article 494 of the Code of Criminal Procedure of the State of Texas so as to provide for the appointment of counsel to represent an indigent accused; and the counsel so appointed shall have at least ten (10) days to prepare for trial unless such time be waived in writing by said attorney; providing a repealing clause; providing a severability clause; and declaring an emergency."

H. B. No. 865, A bill to be entitled "An Act limiting the provisions of this Act to Dimmit and Zavala Counties; making it unlawful, except under the provisions of this Act, for any person to hunt, take, kill, or possess any game bird or game animal in said counties at any time; to take, kill or trap any fur-bearing animal in said counties; to take or attempt to take any fresh-water fish or other aquatic life in public waters in said counties by any means or method; prescribing the legislative policy with respect to the wildlife resources in said counties; conferring upon the Game and Fish Commission authority to regulate by proclamation, order, rule or regulation, the taking of the wildlife resources of said counties; requiring the Game and Fish Commission to make investigation with respect to the depletion and waste of the wildlife resources of said counties; authorizing the Commission to provide an open season or period of time when it shall be lawful to take a portion of the wildlife resources of said counties; defining depletion and waste; providing for the issuance of the doe deer permits and providing for the maintenance of a deer herd and breeding stock; providing for the adoption of proclamations, orders, rules and regulations of

the Game and Fish Commission; providing for the effective period of regulations; providing for the publication of regulations; providing that the authority of the Commission is not limited; providing venue for suits to test the validity of this Act and of the rules and regulations of the Commission; providing a penalty for the violation of any of the provisions of this Act; as well as any order, rule or regulation of the Commission; providing for the forfeiture of licenses; defining wildlife resources; repealing certain laws; providing for the effective date of this Act; providing a saving clause; and declaring an emergency."

H. B. No. 874, A bill to be entitled "An Act constituting a local law for the maintenance of the public roads and highways of San Patricio County by authorizing the County to issue certificates of indebtedness for certain stated purposes; stating terms and conditions of issuance; requiring the levy of a tax to pay such certificates; enacting other provisions relating to the subject; making the act cumulative; providing for severability; and declaring an emergency."

H. B. No. 875, A bill to be entitled "An Act restoring criminal jurisdiction in the County Court of Glasscock County; and making other provisions relating thereto; and declaring an emergency."

H. B. No. 878, A bill to be entitled "An Act creating a County Court at Law No. 2 for Lubbock County, Texas, and making other provisions, relative thereto; and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk House of Representatives

House Bill on First Reading

The following bill received from the House, was read the first time and referred to the Committee indicated:

H. B. No. 589, To the Committee on Water and Conservation.

Reports of Standing Committees

Senator Parkhouse by unanimous consent submitted the following reports:

Austin, Texas,
April 8, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, Your Committee on Water and Conservation, to whom was referred H. B. No. 589, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PARKHOUSE, Chairman.

Austin, Texas,
April 8, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, Your Committee on Water and Conservation, to whom was referred H. B. No. 468, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PARKHOUSE, Chairman.

Senate Bill 32 with House Amendments

Senator Rogers called S. B. No. 32 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Rogers moved that the Senate concur in the House amendments.

The motion prevailed.

Senate Bill 425 Re-referred

On motion of Senator Fly and by unanimous consent S. B. No. 425 was withdrawn from the Committee on Finance and was re-referred to the Committee on Public Health.

Local and Uncontested Bill Session

On motion of Senator Martin, and by unanimous consent, the Senate agreed to hold a session for the consideration of Local and Uncontested Bills Calendar on Tuesday, April 9, 1957, at 9:30 o'clock a.m.

Special Notice

Senator Bradshaw gave notice that he would move to suspend the necessary rules to take up S. B. No. 123 on tomorrow.

Recess

On motion of Senator Aikin the Senate at 12:33 o'clock p.m. took recess until 9:30 o'clock a.m. tomorrow.

FIFTIETH DAY

(Continued)

(Tuesday, April 9, 1957)

After Recess

The Senate met at 9:30 o'clock a.m., and was called to order by Senator Hardeman.

Leave of Absence

Senator Ashley was granted leave of absence for today on account of important business on motion of Senator Herring.

Local and Uncontested Bill Session

The Presiding Officer announced that the time had arrived for the consideration of the Local and Uncontested Bills Calendar in accordance with a motion previously adopted by the Senate.

Senate Bill 351 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 351, A bill to be entitled "An Act limiting the provisions of this Act to Bexar County; making it unlawful, except under the provisions of this Act, for any person to hunt, take, kill or possess any game bird or game animal in said county at any time; to take, kill or trap any furbearing animal in said county; to take or attempt to take any fresh water fish or other aquatic life in said county by any means or method; etc., and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 351 on Third Reading

Senator Gonzalez moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 351 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Fly
Bracewell	Fuller
Bradshaw	Gonzalez
Colson	Hardeman